

Johns (HB 161)

Act No. 312

Prior law (R.S. 13:5202) provided that a small claims division of a city court shall have civil subject matter jurisdiction in cases where the amount in dispute did not exceed \$2,000, exclusive of interest, court costs, attorney fees, or penalties.

New law retains prior law but increases the amount in dispute to \$3,000.

Prior law (R.S. 13:5206) also provided procedures for securing consolidation of the trial of a small claims action with a reconventional demand by a defendant in the small claims action when the amount of the reconventional demand was over \$2,000.

New law makes corresponding change from \$2,000 to \$3,000 in this provision.

New law retains existing law that a small claims division is not a court of record and cannot hear class action cases, summary proceedings, and executory cases.

New law further prohibits more than 10 parties plaintiff in a small claims division to be joined in the same action and prohibits class certification pursuant to the Code of Civil Procedure.

New law retains existing law that a small claims division has authority to grant any appropriate relief including money damages and equitable relief and that injunctions and restraining orders can only be issued to arrest the execution of its own writ.

Effective August 15, 1999.

(Amends R.S. 13:5202(A) and 5206(B))